

Commercial

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HONOLULU, HAWAII TERRITORY, THURSDAY, OCTOBER 30, 1902.

PRICE FIVE CENTS.

DOINGS
AT THE
CAPITOLDelegate Flynn is
Opposed to
Wilcox.HAWAII OUGHT TO
HAVE PARTY MANHawaiian Patents Issued—The G.
A. R. Encampment—Con-
gressional Fight.

(Special to the Advertiser.)

WASHINGTON, D. C., Oct. 11.—In matters of strictly Hawaiian significance there is but little doing these days at the national capital. Nevertheless there have been impressive events here in recent days. The rear guard of a host of Grand Army men is just disappearing, after a week's program of historic interest. The decision of the veterans to meet next year at San Francisco will not be without moment to Hawaiians for it brings one of those great encampments within a few days' travel of Honolulu. The California people came here to make a determined fight and they won handsomely. It is sixteen years since the Grand Army met on the Pacific Coast and already plans are being made to assure this next encampment being a grand affair.

Interest is quickening decidedly in the congressional campaign, as the election is now only three weeks distant. The nominations for both parties are now made and the issue is squarely joined. The Democrats are fighting with great earnestness and apparently they have no hope of winning than at any time since 1896 but the chances are generally against them.

Norman W. Griswold, of Honolulu, has been granted a patent for a watering trough, bowl, or basin, and Henning A. Peterson, of Honolulu, has been granted a patent for a centrifugal extractor. Albert Horner of Paalo, Hawaii, has been granted a patent for a cultivating plough and H. L. Williams & Co., of Honolulu have been granted a trademark on mineral water.

Delegate Dennis Flynn, of Oklahoma, who, some weeks ago, visited Honolulu, was in Washington yesterday on his way to Connecticut, where he is making several stump speeches. Since returning from Hawaii he has been stumping in Oklahoma where they have a vigorous campaign, in which statehood for the territory is an important factor.

Several of the Delegate's friends were highly entertained by his accounts of his trip to the mid-Pacific territory and of the splendid hospitality of the people out there. "It is the most delightful spot I ever visited," said he, "and the people are the most hospitable. We made a distinct acquisition to the United States, when we annexed those islands."

Mr. Flynn told with much detail his trip to the mouth of the volcano on an automobile and how much he enjoyed that trip. He noted many facts regarding the industrial developments of the islands, although his visit was not primarily for that. "I was struck with the difference of opinion there regarding the Orientals. On the Pacific coast the people are hostile to the Chinamen and friendly to the Japanese. In Hawaii the people have little to say in praise of the Japanese as laborers but feel very kindly towards the Chinese."

Of politics in the islands Mr. Flynn had some observations to make. "I told them," he declared, "that I am a friend of Delegate Wilcox but I also informed them that if they want something done for Hawaii in Congress they want to elect a straight Democrat or a straight Republican. Independents and others who do not belong to either of the great parties cut no ice in the American Congress."

Delegate Flynn is a member of the Committee on Territories of the House and has been a consistent friend of the Territory of Hawaii. He has recently

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BOYD ARRESTED ON CHARGE
OF EMBEZZLING LARGE CHECKLEPERS
OPPOSE
WILCOX

After every effort that could be made by Wilcox and his lieutenants at Kalaupapa but 312 names, and according to those who have seen the list a majority of these are children, could be secured to a petition to the friends of inmates of the leper settlement, asking support for the Wilcox plan of making Molokai the dumping ground for the lepers of the United States.

Information came to the Republicans yesterday that Ambrose Hutchinson had prepared a resolution or petition and had circulated it for signatures, securing that number of names, and then forwarded it to the Home Rule party here. The petition is based on the Wilcoxian promises of freedom and the strictest medical attention.

The letters say in addition that the speeches of Wilcox to the lepers were of the most absurd character. He began by telling those who did not want to be freed to go away, as he wanted to talk only to those who desire to get away from Molokai. Among other things, he said that the United States government would set free at least half of the inmates of the settlement, and that then the lands would be sold to a sugar plantation for \$10,000,000, and as the lepers had made their homes there for years, they would be given the money and permitted to seek homes elsewhere on the island.

The committee of 32, which has charge of the fight against the Wilcox measure, has sent on its last resolution against the bill. It is a long statement of the causes which have led to the fight against the measure, and is as follows:

A VOICE TO THE PUBLIC.

To our Friends, Relatives and the Public in General of the Territory: Hearken Unto These:

For a few days past a petition has been circulated amongst us lepers by Ambrose K. Hutchinson and associates for our signature. Bear in mind fellow citizens, this man Kanoalii (Ambrose) is the same man who made vile utterances at the time a meeting was being held at Bereania Hall for the consideration of the leper question or (Leper Bill) of Delegate Wilcox and these utterances are "I want to see all of you my fellow unfortunates here ruled with an iron hand." At the time of these utterances he was on the verge of being torn in pieces, but fortunate he was, the guardians of the peace were there, which if they had not been there the lepers would have enforced their rage. This petition will be presented to you, no doubt, quoting as a result that you are entirely in harmony with Wilcox's plea that we ought to be taken under the Federal Government.

Through ignorance and misrepresentation some of our unfortunates have been made to sign and what seems most absurd is the fact that kokuas or helpers are also being urged to sign in order to increase the list; but these same kokuas have not the least right to express any feeling pro or con as to what is or what is not good for us (lepers). The total number of lepers and kokuas are a trifle over 1,000; therefore judge for yourselves which of these two figures are correct, the 750 who signed the petition to the U. S. Commissioners or the 300 and odd now sent you on this dastard bill of Wilcox.

Bear in mind that on the first petition the signers are all lepers; but the subsequent one now sent you is signed by lepers as well as kokuas.

We therefore appeal to you, our friends, relatives and benefactors, who have yet some spark to love for our unfortunates here suffering all the hardships and privations enforced on us by law and love of fellow man; we urge you all not to vote for Wilcox who has a selfish heart. When he arrived here he said, "I want to turn you over to the Federal Government so as to save the \$100,000 that is now being given for your support, and maintenance; and further that if that fact is accomplished why the United States will buy Molokai outright for \$10,000,000 which would benefit you all; (the community at large) because of that large amount of money."

It is to you (Public) to judge and think of this whether it lies love or selfishness man toward man. I say "No." You are all aware that we are being constantly talked about and for no other reason than greed of money for the benefit of the general public.

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Does Not Make Restitution as in
Other Two Cases But Pro-
poses to Fight.Police Prevent Him From Taking Possession of
the Public Works Office But He Issues a
Defiant By Authority Notice.

James H. Boyd was forcibly prevented from entering the office of the Department of Public Works yesterday morning, following which Governor Dole served notice upon him of suspension. In the afternoon Mr. Boyd was arrested upon a charge of embezzling \$1,650 from the government, and was released upon giving bond in the sum of \$3,000.

At 3 o'clock a conference was held in the executive office between Governor Dole, Secretary Cooper and prominent residents of Honolulu who had been called into consultation, and the entire situation was thoroughly canvassed. While no official statement was given out, the matter of an appointment of a treasurer was talked of, and a man to succeed W. H. Wright will probably be named within a short time. In the other offices of auditor and superintendent of public works there are no actual vacancies, the suspension of an official not having that effect.

The attorneys for James H. Boyd are now preparing a petition for a writ of mandamus, but it will hardly be presented in court this week.

BOYD IS DEFIANT.

The opening chapter in yesterday's proceedings was the forwarding to the Governor of a defiant refusal to resign as requested. This was couched in the following language:

Department of Public Works.
Honolulu, T. H., Oct. 28th, 1902.
Honorable S. B. Dole, Governor of the Territory of Hawaii, Honolulu, T. H.
Sir:—As any discussion of the subject matter of your letter of even date in regard to the conduct of the office of Superintendent of Public Works by me can serve no useful purpose, I desire merely to acknowledge receipt of your said letter and to inform you that I will immediately resume the performance of my duties as Superintendent of Public Works.

Very respectfully,
JAS. H. BOYD,
Supt. of Public Works.

ATTEMPTS TO ENTER OFFICE BY
FORCE.

Following this Mr. Boyd tried to effect a forcible entry into his old office, but his way was barred by a stalwart policeman. Two attempts were made by Boyd, the first early in the morning, probably at his own instance, but acting upon a general letter of instruction from Humphreys, and later in the presence of his attorneys, in order that he might have legal proof of the resistance. Both attempts were rather in the nature of opera bouffe and the battle for possession of the office was more ludicrous than otherwise.

When Mr. Boyd entered the Capitol building yesterday morning at 8:30 o'clock he was met at the King street entrance by Officer Elvin, who has been guarding the auditor's office for weeks past.

"I have orders not to let you go into the Public Works office," said the policeman, as both walked toward the office door.

"I am going into my office," was Boyd's reply.

The officer attempted to stand in front of the office door, when the bulky superintendent made a sudden lurch and grabbed Elvin, pushing him to one side. The men grappled for a few moments and Boyd quit and walked away,

saying as he went to Elvin "No hard feelings."

THE SECOND ATTEMPT.

The second encounter, while more prolonged, partook even more of the comic opera style. Boyd entered the building a little before 10 o'clock, accompanied by F. E. Thompson, one of his attorneys. Two officers, Mulletner and Neilson, had been placed on guard about an hour previously, and barred Boyd's entrance to the office doors. The superintendent paid no attention to Mulletner's order that he could not enter, and attempted to push his way past. Both policemen grabbed Boyd and a violent struggle followed over the matting, all the actors, however, retaining the upright position. Mr. Boyd was finally forced against a plush upholstered chair, with his shoulders resting on the marble topped table in back. Then Mr. Boyd freed himself and asked breathlessly of Attorney Thompson: "Are you satisfied?" "Yes, that's all right," was the reply, and Mr. Boyd and Thompson left the building together.

HUMPHREYS' ADVICE.

Boyd, in his attempts to take forcible possession of his office, was acting upon the advice of ex-Judge Humphreys. The letter of advice is another contribution to the humorous phase of the situation, in the light of subsequent events, wherein Boyd was expelled, instead of being the man to do the expelling. This letter of advice was as follows:

Honolulu, Oct. 28, 1902.

James H. Boyd, Honolulu.
Dear Sir:—Referring to our conversation just closed in regard to your title to the office of Superintendent of Public Works, and your right to take possession of such office and to discharge all of the duties pertaining thereto, we have to advise you that both your title to the office and your right to perform the duties mentioned, are clear.

We further advise you that, as a public officer, it is your duty to regard your engagements with the people of this Territory, arising out of your said office, as a personal trust of a solemn, responsible and impressive character, and that you should personally execute, do and perform the duties of your said office, and not permit the functions of the same to be usurped by any person whomsoever. It is your legal right, and we believe it to be your duty, and so advise you, that you should forcibly expel from your office any, every and all persons who may interfere with you, or in anywise attempt to interfere with you, in the discharge of your duties as Superintendent of Public Works, and to immediately discharge all any employee or employees of said office who may refuse to execute your orders and directions, or who may directly or indirectly assume such a position as to detract from your title to the office, or which may impede or obstruct you in the due administration of your said office.

We have said that you have the right to forcibly expel from your office any person who may interfere with you in the due execution of your duties as Superintendent of Public Works; to make this more precise, we will add that this advice is given particularly with reference to one H. E. Cooper, who is now unlawfully assuming to discharge the duties of your station, by giving orders and directions to the employees of your office, by publishing notices over his subscription, and by subscribing himself Superintendent of Public Works and otherwise exercising a general superintendence and control over the affairs of said office. If Mr. Cooper should enter your office and attempt to give any direction, order or command to any of the employees of the office, you should request him to leave at once; should he decline to do so, it will then be your right and duty to expel him, as you would any other person under similar circumstances, using as much force as may be necessary to effectuate the expulsion.

This advice is given you after a care-

WILL STAY
AND PLAY
THE BOSS

"Robert will go to Washington and look after the business there, and I will stay at home and run the legislature."

This characteristic expression was made yesterday by Mrs. R. W. Wilcox, in answer to a question as to whether or not she would go to Washington this winter if the Home Rule delegate should win. She seemed to be absolutely certain of her ground, and would not permit her questioners to insinuate that she might be mistaken in her premises.

When later she was asked if she had any plans as to what the legislature would be told to do by her, she laughed, but would not discuss her plans for the future government of the Territory. Full examination and consideration of the premises, and you may safely act upon it. Very truly yours,
HUMPHREYS, THOMPSON & WATSON.

ATTACKS ACTS OF COOPER.

During the day Mr. Boyd assumed to take charge of his department by publication of a "By Authority" notice, which is as follows:

DEPARTMENT OF PUBLIC WORKS.
BY AUTHORITY.

Public notice is hereby given that the undersigned Superintendent of Public Works, has returned to the city of Honolulu and resumed his duties as such; that all any every act of any person whomsoever assuming or pretending to act as Superintendent of Public Works, to which office I was duly appointed on May 23rd, A. D. 1901, by the Governor, by and with the advice and consent of the Senate of the Territory of Hawaii, at any time since said date, is wholly null, void and of no effect whatever, and will be so regarded, held and treated by me.

JAS. H. BOYD,

Superintendent of Public Works.

Honolulu, Oct. 29, 1902.

Boyd's notice is not clear as to his intention, whether he means that the acts of anyone as superintendent of Public Works since his return are illegal and void, or whether he includes the acts of everyone since May 23, 1901, the date of his confirmation by the senate, does not appear. If he means the former he has only reference to Secretary Cooper, whose acts he had already sanctioned by his acquiescence in the action of the Governor in requesting him not to interfere with Mr. Cooper. If, on the other hand, he refers to the date of his appointment, all the acts of Treasurer Wright, who held Boyd's power of attorney, will be called into question, as well as of Marston Campbell, who was in charge of the office upon a number of occasions during Boyd's absence from Honolulu.

There is considerable difference of opinion as to Boyd's exact status, one attorney expressing the opinion yesterday that if Boyd is superintendent of Public Works he still remains such, whether he is in actual possession of the office or not. This view being correct, Boyd could establish offices where he pleased and transact the business of his department, if he has a legal right so to do.

DOLE SUSPENDS BOYD.

Governor Dole sent the following notice of suspension to Mr. Boyd on receipt of his communication:

Honolulu, T. H., Oct. 29, 1902.

Mr. James H. Boyd, Superintendent of

Public Works, Honolulu, T. H.

Sir:—Your letter of October 28th, in reply to mine of the same date, asking for your resignation of the office of Superintendent of Public Works, in which you express the intention of resuming the duties of such position, has been received.

For the reasons set forth in my said letter and in view of your expressed intentions of resuming the function of Superintendent of Public Works, I hereby by virtue of the authority in me vested by law, more particularly by Sections 67 and 68 of the Organic Act, suspend you from such office.

Very respectfully,

SANFORD B. DOLE.

The sections of the organic act quoted by the executive in his letter are as follows:

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DEATH
CAME IN
FLAMESMRS. FRIEL AND
DAUGHTER
BURNED.Mrs. Nigel Jackson
May Not
Live.Inmates of Friel House
Leaped From Windows
For Safety.BELIEVED TO BE BURNED
TO DEATH.MRS. E. B. FRIEL.
ETTA FRIEL, her daughter, 15
years of age.

INJURED.

MRS. NIGEL FRIEL JACKSON.
Badly burned about the face and body, and may die. Supposed to have breathed smoke and flames.

GEORGIA FRIEL, 10-year old daughter. Leg injured by jumping from second story window to ground.

SAVED.

EDWARD B. FRIEL.
GEORGIA FRIEL.
ANNA VOELLER.
MR. and MRS. E. B. WATSON.
LEON TOBRINER.

Two persons burned to death, one frightfully burned and others injured are the total of disasters in the fire which burned the residence of E. B. Friel, Nuuanu avenue, between Bates and Judd streets shortly after 2 o'clock this morning.

It is believed that Mrs. E. B. Friel and her daughter, Etta, 15 years of age, were burned to death in the house. No trace of them was found after all the other occupants of the residence had been saved.

That Mrs. Friel and her daughter lost their lives in the house was believed at the hour of writing—3 a. m.—to be confirmed. Both appeared at the window from which the daughter, Georgia, jumped into the arms of a police officer, and were told to jump, but they disappeared from the window. The house was a mass of flames at the time and it is accepted as a fact that they perished.

Mrs. Nigel Jackson's injuries are

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